

Application Serial No. 10/589,546
Reply to Office Action of October 14, 2008

PATENT
Docket: CU-5016

REMARKS/ARGUMENTS

In the Office Action dated October 14, 2008, the Examiner states that claims 16-35 are pending, claims 16-20, 23 and 24 are rejected, claims 21-22 are objected to, and claims 25-35 are allowed. By the present Amendment, Applicant amends the claims. No new matter has been added.

In the Claims section, please amend claim 16 to recite "wherein the corundum crystal is colorless." Support for this amendment can be found, for instance in claims 21 and 22. Therefore, no new matter has been added by way of this amendment. In addition, in the claims, please cancel claims 21-24. The amendments to the claims can be viewed in the Amendments section in the Listing of claims beginning on page 2 of this paper.

In the Office Action, the Examiner rejected claims 16-20, 23 and 24 under 35 U.S.C. §103(a) as being obvious over JP 10-007450 (reference 1) in view of JP 40-026525 (reference 2). In the Office Action on page 3, the Examiner indicated that claims 21-22 would be allowable if rewritten in independent form. Of note is that the Applicant has cancelled claims 23 and 24 herein thereby rendering the rejection of these claims moot.

In response, the Applicant has amended the claims so that the allowable features in claims 21 and 22 have been added to claim 16, and therefore to dependant claims 17-20. The Applicant submits, therefore, that claim 16 is non-obvious and allowable and requests that the Examiner withdraw this ground of rejection of claim 16.

It is axiomatic that if an independent claim is allowable, then any claim depending therefrom is also allowable. Since claims 17-20 depend from amended claim 16, the Applicant respectfully requests that Claims 17-20 also overcome the rejection. The Applicant thus respectfully requests that the Examiner also withdraw the rejection of Claims 17-20 under 35 U.S.C. § 103(a).

In light of the foregoing discussion, all the outstanding objections and

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rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date

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